

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DEC 05 2011

JULIA C. DUDLEY, CLERK
BY: *J. C. Dudley*
DEPUTY CLERK

BROOKS JAMES TERRELL,)
Plaintiff,) Civil Action No.: 7:11-cv-00024
v.) FINAL ORDER
MR. RUPERT, et al.,) By: Hon. James C. Turk
Defendants.) Senior United States District Judge

Plaintiff Brooks James Terrell, a federal inmate proceeding pro se, filed a civil rights complaint before the Court. This matter is currently before on Defendants' Motion to Dismiss, or in the Alternative, Motion for Summary Judgment. (Dkt. No. 23). Terrell responded to the Defendants' motion and concurrently filed a Cross-Motion for Summary Judgment. (Dkt. No. 30). Defendants filed a reply. (Dkt. No. 31). Also before the Court at this time are Terrell's Motion for Discovery (Dkt. No. 32) and the Defendants' Response (Dkt. No. 34), Terrell's Motion for a Jury Trial (Dkt. No. 33), and Terrell's Motion for Sanctions (Dkt. No. 41). The case is ripe for decision.

In accordance with the accompanying Memorandum Opinion, and for the reasons set forth therein, it is hereby

ORDERED

1. Defendants' Motion to Dismiss, or in the Alternative, Motion for Summary Judgment (Dkt. No. 23) is **GRANTED**;
2. Plaintiff's Cross-Motion for Summary Judgment (Dkt. No. 30) is **DENIED**;
3. Plaintiff's Motion for Discovery (Dkt. No. 32) is **DENIED**;
4. Plaintiff's Motion for Sanctions (Dkt. No. 41) is **DENIED**; and

5. Plaintiff's Motion for a Jury Trial (Dkt. No. 33) is **DISMISSED as MOOT**;

The Clerk is directed to send a certified copy of this order to the Plaintiff and counsel of record for the Defendants. The Clerk is further directed to strike this case from the Court's active docket.

ENTER: This 5th day of December, 2011.



Senior United States District Judge